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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
5 **SAN JOSE DIVISION**
6

7 JUICERO, INC.,
8 Plaintiff,
9 v.
10 ITASTE CO., et al.,
11 Defendants.

Case No. 17-cv-01921-BLF

**ORDER SEALING PORTIONS OF
ORDER DENYING JUICERO INC.'S
MOTION FOR PRELIMINARY
INJUNCTION**

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13 On October 5, 2017, the Court filed its Order Denying Juicero Inc.'s Motion for
14 Preliminary Injunction ("Order") under seal and ordered the parties to submit proposed redactions,
15 if necessary. ECF 100, 101. Defendants have submitted proposed redactions to the Order along
16 with a supporting declaration. ECF 102. Plaintiff does not oppose Defendants' proposal. *Id.* ¶ 6.
17 Accordingly, the Court construes Defendants' submission as an unopposed motion to file under
18 seal portions of the Order. For the reasons discussed below, Defendants' motion is GRANTED.

19 **I. LEGAL STANDARD**

20 "Historically, courts have recognized a 'general right to inspect and copy public records
21 and documents, including judicial records and documents.'" *Kamakana v. City & Cnty. of*
22 *Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435
23 U.S. 589, 597 & n.7 (1978)). Consequently, access to motions and their attachments that are
24 "more than tangentially related to the merits of a case" may be sealed only upon a showing of
25 "compelling reasons" for sealing. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092,
26 1101-02 (9th Cir. 2016). Filings that are only tangentially related to the merits may be sealed
27 upon a lesser showing of "good cause." *Id.* at 1097. In addition, sealing motions filed in this
28 district must be "narrowly tailored to seek sealing only of sealable material." Civil L.R. 79-5(b).

1 A party moving to seal a document in whole or in part must file a declaration establishing that the
2 identified material is “sealable.” Civ. L.R. 79-5(d)(1)(A). “Reference to a stipulation or
3 protective order that allows a party to designate certain documents as confidential is not sufficient
4 to establish that a document, or portions thereof, are sealable.” *Id.*

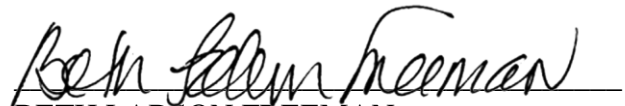
5 **II. DISCUSSION**

6 The Court has reviewed Defendants’ proposed redactions and declaration submitted in
7 support thereof. According to Defendants, certain portions of the Order contain references to
8 Defendants’ competitively sensitive and proprietary business information, including financial and
9 marketing information relating to the planned distribution of iTaste’s juicer product in the United
10 States. Declaration of Kunyu Ching ¶ 3, ECF 102. Defendants state that this information is not
11 publicly available, and making it such would cause competitive harm. *Id.* Accordingly,
12 Defendants propose sealing portions of pages 12-13, as indicated in a proposed redacted version of
13 the Order that Defendants have submitted at ECF 102-1.

14 The Court finds that Defendants have articulated good cause to seal certain portions of the
15 Order. The proposed redactions are also narrowly tailored. Accordingly, Defendants’ motion is
16 GRANTED.

17 **IT IS SO ORDERED.**

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19 Dated: October 16, 2017

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21 BETH LABSON FREEMAN
22 United States District Judge
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